

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

LACIE EDON,

Plaintiff,

v.

Case No.: 1:24-cv-02195-TWP-KMB

PNC BANK, in its own capacity and as
successor to NATIONAL CITY BANK,

Defendant.

**JOINT REQUEST FOR CONFERENCE WITH
MAGISTRATE JUDGE KELLIE M. BARR**

Defendant PNC Bank, N.A. (“PNC” or “Defendant”) and Plaintiff Lacie Edon (“Edon” or “Plaintiff”) (together, the “Parties”), by and through their undersigned counsel, respectfully submit this Joint Request for Conference with Magistrate Judge Kellie M. Barr. In support thereof, the Parties state as follows:

1. On December 12, 2024, PNC removed Edon’s Complaint from Superior Court of Hancock County, Indiana to the United States District Court for the Southern District of Indiana. ECF No. 1.
2. On December 13, 2024, PNC filed a Motion to Dismiss the Complaint (“Motion to Dismiss”). ECF No. 7.
3. On January 21, 2025, Edon filed her Opposition to PNC’s Motion to Dismiss. ECF No. 10.
4. On February 3, 2025, PNC filed its Reply in support of its Motion to Dismiss. ECF No. 11.

5. On March 10, 2025, Plaintiff served Interrogatories and Requests for Production on Defendant.

6. Based on the dispositive legal issues raised in the Motion to Dismiss, Defendant believes that a stay of any discovery would be appropriate in this litigation pending a ruling on the Motion to Dismiss.

7. In contrast, Plaintiff does not believe that a stay of any discovery would be appropriate in this litigation and requests to proceed with discovery pending a ruling on the Motion to Dismiss.

8. Pursuant to Local Rule 37-1, before filing this request with the Court, the Parties met and conferred to resolve this dispute by email and phone. The Parties were unable to resolve this conflict informally.

9. On March 28, 2025, PNC, through its counsel, contacted Magistrate Judge Kellie M. Barr's chambers to schedule a telephone conference regarding a stay of discovery.

10. On March 28, 2025, Magistrate Judge Barr's chambers directed the Parties to file a formal request on the docket to schedule a telephonic conference to discuss a stay of discovery pending a ruling on PNC's Motion to Dismiss.

11. Plaintiff's counsel is currently available for a telephone conference on the following dates:

- a. April 9, 2025
- b. April 10, 2025
- c. April 15, 2025
- d. April 17, 2025

12. Defendant's counsel is currently available for a telephonic conference on the following dates:

- a. April 9, 2025
- b. April 10, 2025
- c. April 15, 2025, , from 9:00 to 10:30 am or after 12:00 p.m.
- d. April 17, 2025

WHEREFORE, for these reasons, the Parties respectfully request that this Court schedule a telephonic conference between the Parties and Magistrate Judge Kellie M. Barr to discuss a stay of discovery pending a ruling on PNC's Motion to Dismiss.

Dated: April 8, 2025

Respectfully submitted,

/s/ Mark D. Kundmueller
Mark D. Kundmueller
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Attorney for Defendant PNC Bank, N.A.

/s/ Lewis S. Wooton (with consent)
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Attorney for Plaintiff Lacie Edon

CERTIFICATE OF SERVICE

I certify that on April 8, 2025, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notice to all counsel of record.

/s/ Mark D. Kundmueller

Mark D. Kundmueller